x:\ATS52463\adoption

ROGER P. McTIERNAN, JR. (RPM 1680) BARRY, McTIERNAN & MOORE 2 Rector Street – 14<sup>th</sup> Floor New York, New York 10006 (212) 313-3600

Attorneys for Defendant ANN TAYLOR STORES CORPORATION

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
-----X
IN RE LOWER MANHATTAN DISASTER SITE
LITIGATION
-----X
SIXTO AVILES,

NOTICE OF ADOPTION

Plaintiff,

08 CIV 2254

-against-

ON SITE: 7 WORLD TRADE COMPANY, L.P., A RUSSO WRECKING, INC., ET AL,

OFF SITE:

41 MADISON LP/RUDIN MGMT CO., AJ GOLDSTEIN & CO., ALAN KASMAN DBA KASCO, ANN TAYLOR STORES CORPORATION, ET AL,

Def	endants.
	X

PLEASE TAKE NOTICE that defendant, ANN TAYLOR STORES CORPORATION as and for its responses to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) related to the Master Complaint filed in the above-referenced action, hereby adopts ANN TAYLOR STORES CORPORATION's Answer to the Master Complaint dated August 8, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

To the extent that ANN TAYLOR STORES CORPORATION's Answer to the Master

Complaint does not comprehensively address any of the specific allegations within the Check-Off

Complaint in the above-captioned matter, ANN TAYLOR STORES CORPORATION denies knowledge or information sufficient to form a belief as to the truth of such specific allegations.

WHEREFORE, ANN TAYLOR STORES CORPORATION demands judgment dismissing the above-captioned action as against it, together with its costs and disbursements.

Dated: New York, New York May 16, 2008

> ROGER P. McTIERNAN, JR. (RPM 1680) BARRY, McTIERNAN & MOORE Attorneys for Defendant ANN TAYLOR STORES CORPORATION 2 Rector Street – 14<sup>th</sup> Floor New York, New York 10006 (212) 313-3600

To:

WORBY GRONER EDELMAN & NAPOLI BERN, LLP Attorneys for Plaintiffs 115 Broadway, 12<sup>th</sup> Floor New York, New York 10006 (212) 267-3700